

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

BROOKE PEARCE, as next friend of U.V., a	§	
minor, and JUSTINA GARCIA,	§	
	§	Civil Action No. 4:18-cv-03196
Plaintiffs,	§	
	§	
v.	§	
	§	
FBI AGENT DOE, in his individual capacity;	§	
NICHOLAS CHASE CUNNINGHAM;	§	
SOPHIA PEREZ HEATH; JIMMY TONY	§	
SANCHEZ, et al.,	§	
	§	
Defendants.	§	
	§	

NOTICE OF APPEAL

Notice is hereby given that Defendant FBI Agent Doe hereby appeals to the United States Court of Appeals for the Fifth Circuit from the Order on Motion to Dismiss entered on June 28, 2020 (ECF No. 42). This is an interlocutory appeal from an order denying qualified immunity for a federal agent.¹

Respectfully submitted,

/s/ Rebecca L. Gibson
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¹ As permitted by *Mitchell v. Forsyth*, 472 U.S. 511, 526–27 (1985) and *Carroll v. Ellington*, 800 F.3d 154, 167 (5th Cir. 2015) (“[F]ederal appellate courts have limited jurisdiction to review pure questions of law arising from the denial of motions to dismiss...in which public officials asserted qualified immunity as a defense.”).

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Counsel for FBI Agent Doe

CERTIFICATE OF SERVICE

On July 10, 2020, a true and correct copy of the foregoing document was served on counsel electronically through the Court's CM/ECF system.

/s/ Rebecca L. Gibson